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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
COMMUNICATION TO THE PATENT OFFICE IN RESPONSE TO
INTERVIEW SUMMARY

APPLICANT: Wyatt

EXAMINER: Dixon

SERIAL NO.: 09/544,508

GROUP ART UNIT: 3629

FILING DATE: April 6, 2000

ATTY. DKT. NO.: MCO-P-00-001

INVENTION: "A METHOD AND A SYSTEM FOR PROVIDING BED AVAILABILITY INFORMATION ON A COMPUTER NETWORK"

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

This Communication is submitted in response to an Interview Summary received from the U.S. Patent Office dated April 15, 2004. The Interview Summary was mailed in response to a telephonic interview on March 15, 2004 between Attorney Brian Anscomb (Reg. No. 48,641) and Examiner Thomas Dixon wherein Claims 1, 11-14, 19 and 20 were discussed in view of an Office Action dated February 18, 2004.

During that telephonic interview, Examiner Dixon indicated to Attorney Anscomb that the rejection of Claims 1 and 14 under 35 U.S.C. §103(a) as being anticipated by *Ohrn* in view of *Stanis et al.* would be overcome by incorporating Claims 11-13 and 20 into Claims 1 and 14, respectively. Additionally, Examiner Dixon indicated that *Stanis et al.* do not disclose the matching as claimed by Applicant. Further, Examiner Dixon indicated that



he reserves the right to update the search to find the proposed features.

In accordance with the suggestions made by Examiner Dixon during the telephonic interview, Applicant filed an Amendment on March 29, 2004 in response to the Office Action that incorporated the limitations of Claims 11-13 and 20 into Claims 1 and 14, respectively. Furthermore, Applicant canceled Claims 11-13 and 20 with the Amendment.

However, the Interview Summary from the Patent Office indicates that an agreement with respect to the claims was non-applicable.

Contrary to the Examiner's remark in the Interview Summary regarding that an agreement was non-applicable, Applicant submits that the remark erroneously describes the substance of the telephonic interview on April 15, 2004. Further, Applicant submits that Examiner Dixon and Attorney Anscomb agreed during the telephonic interview that incorporating Claims 11-13 and 20 into Claims 1 and 14, respectively, would overcome the rejection of Claims 1 and 14 under 35 U.S.C. §103(a) as being anticipated by *Ohrn* in view of *Stanis et al.* Accordingly, Applicant requests the Patent Office to clarify the record to indicate that the agreement was reached during the telephonic interview between Examiner Dixon and Attorney Anscomb with respect to Claims 1, 11-14, 19 and 20. Notice to that effect is requested.



Applicant submits that no fee is due for this Communication.

If any fees are due and owing in view of this Communication,

Applicant authorizes the Patent Office to charge Deposit Account No. 50-0595. A *duplicate of this sheet is enclosed for this purpose.*

Respectfully submitted,

Brian M. Mattson, Reg. No. 35,018

ATTORNEY FOR APPLICANT

Patents+TMS

A Professional Corporation

1914 North Milwaukee Avenue

Chicago, Illinois 60647

Telephone: (773) 772-6009

CERTIFICATE OF MAILING

I hereby certify that this **Communication** is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 12, 2004.

Brian M. Mattson (Reg. No. 35,018)